1 2 3 UNITED STATES DISTRICT COURT 4 WESTERN DISTRICT OF WASHINGTON AT TACOMA 5 6 JAY FRANK FISCHER, Case No. 3:23-cv-05889-TMC 7 Plaintiff, ORDER ٧. 8 WASHINGTON DEPARTMENT OF 9 CORRECTIONS, 10 Defendants. The Court having reviewed the Report and Recommendation of the Hon. 11 Theresa L. Fricke, United States Magistrate Judge, objections to the Report and 12 Recommendation, if any, and the remaining record, hereby finds and orders: 13 1. The Court adopts the Report and Recommendation; 14 Plaintiff's action is DISMISSED without prejudice; 2. 15 3. The Clerk is directed to send copies of this Order to Plaintiff. 16 17 Dated this 29th day of December, 2023. 18 19 20 21 Tiffany M. Cartwright 22 United States District Court Judge 23 24

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ORDER - 1